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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/625,842	07/26/2000	Shin Muto	CFO 14670 US	7976

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NEW YORK, NY 10112

EXAMINER
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LIM, KRISNA

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 01/02/2004

11

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/625,842

Applicant(s)

MUTO, SHIN

Examiner

Krisna Lim

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 21-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

1. Claims 21-31 are presented for examination, and claims 1-20 were canceled.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 21-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Ochiai et al. [E.P. 1 067 731]. This reference was submitted by the applicant on 8/16/02.

4. Ochiai et al. disclosed (e.g., see Figs. 1-45) the invention substantially as claimed. Taking claim 21 as exemplary claims, the reference disclosed an information processing apparatus (a system for searching device on network, see the title), comprising:

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- a) a storage unit (database 11 of Fig. 1, directory service, database at col. 24, lines 1-7) arranged to store location information of a plurality of devices (e.g., see an abstract, col. 1, lines 19-20 and 44-45);
- b) a reception unit (search means, col. 24, lines 8-13) arranged to receive location information which is input by a user in order to search for a predetermined device and which is transferred from another information processing apparatus (e.g., see col. 2, line 8-16), the abstract);
- c) a retrieval unit arranged to retrieve location information (obtain location information of Fig. 28) of said another information processing apparatus (e.g., see col. 2, lines 7-16);
- d) a search unit arranged to search for a device (Fig. 26), whose location information is stored in said storage unit, in accordance with the location information received by said reception unit and the location information stored in said storage unit (e.g., see the abstract, col. 2, lines 1-6); and
- e) a transfer unit (a transmission means) (transmit search result of Fig. 26) arranged to transfer device information searched by said search unit to said another information processing apparatus (e.g., see col. 2, line 1-6, col. 24, lines 18-20).

- 5. As to claim 22, Ochiai et al. disclosed the location information received by the reception unit is information which designates a first area (the position in an area of the map data and the coordinate information corresponding to the search device (e.g., see col. 24, lines 40-44), and the location information retrieved by the retrieval unit is information which designates a second area (the map data being use for displaying a location relation of the device) (e.g., see col. 24, lines 24-30).

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6. As to claim 23, Ochiai et al. disclosed the transfer unit includes identification information (piece of attribute information corresponding to each device on the network) of the device and the location information of the device, and the transferred location information is designated by a plurality of hierarchies (a hierarchical data structure) (e.g., see col. 24, lines 1-20).
7. As to claim 24, Ochiai et al. disclosed a generation unit arranged to generate map information by selecting any of the plurality of hierarchies which designate the location information of the device searched by the search unit, wherein the transfer unit transfers the map information generated by the generation unit to the another information processing apparatus (e.g., see col. 24, lines 24-44).
8. Claims 25-31 are similar in scope as of claims 21-24, and therefore claims 25-31 are rejected for the same reasons set forth above for claims 21-24.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Krisna Lim whose telephone number is (703) 305-9672. The examiner can normally be reached on Monday-Friday from 9:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Glenton Burgess, can be reached at (703) 305-4772. The fax phone numbers for the organization where this application or proceeding is assigned is as following:

(703) 746-4481 [Direct Fax Number]  
(703) 746-7238 [After Final Communication]

or

(703) 746-7239 [Official Communication]  
(703) 746-7240 [For Status inquiries, draft communication]

and/or

(703) 306-5631, (703) 306-5632 or (703) 306-5633 for [Customer Service Numbers]

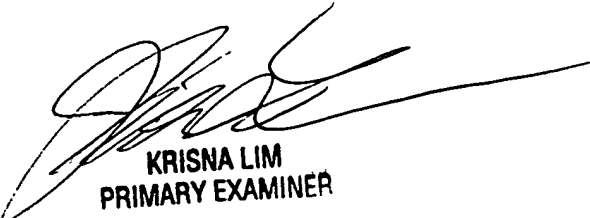
Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [glen.burgess@uspto.gov].

All Internet e-mail communication will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirement of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Office Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

kl

December 19, 2003



KRISNA LIM  
PRIMARY EXAMINER